IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. WJC No.565 of 2007
ISHARAT KHATOON
Versus
STATE OF BIHAR
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5 11.9.2008 In the instant writ application the petition prays for an appropriate direction to the respondents to complete the investigation and arrest the accused persons of the case.

It appears that a counter affidavit on behalf of respondent no.4 was filed by one Pravej Akhtar, the then S.P., Law and order in the office of respondent no.4. In para 4 of the counter affidavit it was stated that final form no.74/07 dated 30.7.2007 has already been submitted before the court below. A copy of final form has been appended as Annexure-A to the counter affidavit.

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The learned counsel for the petitioner submits that the statement contained in para 4 of the counter affidavit filed on behalf of respondent no.4 is not correct rather it is an incorrect statement. He asserts that it would appear from the order sheet of the learned Magistrate in seisin of the case as well as from Annexure-C of the supplementary counter affidavit filed on behalf of respondent that F.F. was not submitted then as claimed in first counter affidavit. In supplementary counter affidavit it has been stated that in fact, final form no.74/07 was submitted on 29.1.2008. He submits that the respondents have tried to explain the incorrect statement by stating that the F.F. but on account of it being tagged with another file, the same was not submitted.

As investigation has already been completed and final form submitted and even cognizance of offence against opposite party , Md. Muzaffar Imam @ Tufel Ahmad has already been taken the police must make efforts to arrest the accused. It has also been informed that the anticipatory bail application of the aforesaid accused has been rejected by the learned Sessions Judge, Darbhanga.

With the aforesaid observation the instant writ application has been disposed of.

Anilksinha **(Samarendra Pratap Singh,J.)**

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